

Date: April 1, 2016
To: Lewis County Planning Commission
From: Brad Medrud, Senior Planning Project Manager, AHBL
Fred Evander, Senior Long Range Planner, Lewis County
RE: **WORKSHOP: DRAFT LEWIS COUNTY SHORELINE MASTER PROGRAM**
Attachments: Draft Lewis County Shoreline Master Program (165 Pages)

The purpose of this staff report is to reintroduce the draft Shoreline Master Program (SMP) for Lewis County. The Planning Commission will discuss proposed changes to the draft, based on comments from the Department of Ecology, at its meeting of April 12, 2016.

BASIS FOR PROPOSED CHANGES

As required by the State Shoreline Management Act (RCW 90.58), local governments are required to prepare and adopt a Shoreline Master Program based on the State's Shoreline Master Program Guidelines (WAC 173-26). These master programs are intended to be tailored to the specific circumstances and needs of local communities, while meeting state requirements.

Lewis County originally adopted its Shoreline Master Program in 1977 and made minor changes to the document in 1998. Over the past forty years, however, a number of factors affecting the county's shoreline environment and regulatory requirements have changed, including the adoption of the Lewis County Comprehensive Plan and critical areas ordinance, as well as numerous modifications to federal and state laws.

The revised policies, environmental designations, and regulations in the updated SMP are intended to address each of these changes and bring the SMP into compliance with current federal and state policies and regulations for shorelines.

KEY RECENT CHANGES TO THE DRAFT DOCUMENT

A Citizens Advisory Committee and the Lewis County Planning Commission have reviewed components of the Shoreline Master Program over the past few years, including, most recently, a complete draft of the document in November. After that review, the Department of Ecology analyzed the draft, and suggested a variety of minor revisions.

The attached draft is intended to address the comments from the Department of Ecology, as well as some of the further issues identified by staff during the review. Among the most significant changes are:

- The authorization of the expansion of roads within existing road rights-of-way within the shoreline environment (see pages 31 and 50).

- The creation of a new interrupted buffer provision, which would allow individuals to expand uses on the landward portion of their property when a substantial improvement would limit landward impacts to the shoreline buffer (see page 34).
- The removal of the maximum 20 percent pruning requirement (see page 38).
- The combination of the boat launch and boat launching rail sections (see pages 64 and 65).
- The establishment of a maximum size for recreational floats – 250 square feet – without the requirement for a Shoreline Variance (see page 69).
- Allowance of the expansion of existing commercial and industrial uses within the shoreline environment, so long as they do not move any closer to the shoreline (see pages 72 and 75).
- Clarification of the various streamlined permitting approaches for shoreline restoration (see page 102).
- New standards to demonstrate the need for flood hazard stabilization structures that are based on WAC 173-26-221 (3)(c)(ii) (see page 106).
- Revision to the requirements for when a public hearing is required for a Shoreline Substantial Development Permit (see page 114).
- Revision to the non-conforming use standards to consider existing permitted residential uses within Shoreline environment as conforming uses (see page 119).

Overall, staff believe that the revisions are beneficial changes to the document, and think that, with the changes, the document is nearly ready for a public review and hearing.

REVIEW OF THE DOCUMENT

The Lewis County Planning Commission will review the changes at their meeting of April 12, 2016 and any other workshops deemed necessary. After their review, the Planning Commission will schedule a public hearing on the draft, with the goal of ultimately forwarding a recommendation to the Board of County Commissioners. The Department of Ecology will then have its final review of the SMP. Unlike other local regulations, Ecology has final review and approval authority over all SMPs, including the ability to require changes.

RECOMMENDATION

To facilitate the ongoing review of the document, the Planning Commission should hold any public workshops necessary to take input from the public and/or study the proposal. When the Planning Commission feels comfortable with the document, the Commission should establish a hearing date to consider the draft Shoreline Management Program.